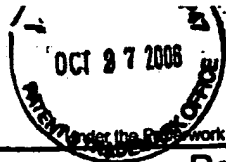


UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | |
|---|-----------------------------------|--|--------------|----------|
| 1 Date of Request: <u>11-15-06</u> | | 2 Serial/Patent # <u>09/400823</u> | | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT |
| | Filing | | | \$ |
| | Amendment | | | \$ |
| | Extension of Time | | | \$ |
| | Notice of Appeal/Appeal | | | \$ |
| | Petition | | 10-27-06 | \$ 130 |
| | Issue | | | \$ |
| | Cert of Correction/Terminal Disc. | | | \$ |
| | Maintenance | | | \$ |
| | Assignment | | | \$ |
| | Other <u>RCE</u> | | 10-27-06 | \$ 790 |
| 7 TOTAL AMOUNT OF REFUND | | | \$ 920 | |
| 8 TO BE REFUNDED BY: | | | | |
| 10 REASON: | | Treasury Check | | |
| Overpayment | | Credit Deposit A/C #: | | |
| Duplicate Payment | | 50--2866 | | |
| No Fee Due (Explanation): | | <u>Petition dismissed as moot. Fees not necessary.</u> | | |
| 11 REFUND REQUESTED BY: | | | | |
| TYPED/PRINTED NAME: <u>Karen Creasy</u> | | TITLE: <u>Petitions Examiner</u> | | |
| SIGNATURE: <u>Karen Creasy</u> | | PHONE: <u>2-3208</u> | | |
| OFFICE: <u>Petitions</u> | | | | |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** | | | | |
| APPROVED: <u>CKH/K</u> | | DATE: <u>11/15/06</u> | | |

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|---------------------|
| Application Number | 09/400,833 |
| Filing Date | September 21, 1999 |
| First Named Inventor | Akio NAKAJIMA |
| Art Unit | 3724 |
| Examiner Name | Omar Flores-Sanchez |
| Attorney Docket Number | 991059 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- ii ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii ☐ Other
- b. ☒ Enclosed
- i ☐ Amendment/Reply
- ii ☐ Affidavit(s)/Declaration(s)
- iii ☒ Information Disclosure Statement (IDS)
- iv ☒ Other Petition for Withdrawal from Issue
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other
3. **Fees** The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when RCE is filed.
- a. ☒ Check in the amount of **\$920.00** (\$130.00 for the petition fee and \$790.00 for the RCE filing fee) enclosed
- i ☒ RCE fee required under 37 C.F.R. § 1.17 (e)
- ii ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) | 10/30/2006 HDEESS1 00000073 09400833
- iii ☒ Other Petition for Withdrawal from Issue | 01 FC:1801 790.00 OP
- b. ☒ The Director is hereby authorized to charge any additional fees in connection with filing of this paper or credit any overpayments, to Deposit Account No. **50-2866**.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-----------------|-----------------------------------|---------------------|
| Name (Print/Type) | Shuji Yoshizaki | Registration No. (Attorney/Agent) | Limited Recognition |
| Signature | | Date | October 27, 2006 |

CERTIFICATE OF MAILING OR TRANSMISSION

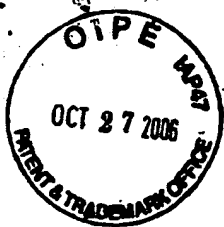
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | |
|-------------------|------|
| Name (Print/Type) | |
| Signature | Date |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 11/15/2006 CKHLOK
10/30/2006 HDEESS1 00000073 09400833
01 FC:1801 -790.00 OP



Handwritten initials: JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Akio NAKAJIMA**

Group Art Unit: 3724

Serial Number: 09/400,833

Examiner: Omar Flores-Sanchez

Filed: September 21, 1999

Confirmation Number: 3858

For: **WORKPIECE-TRANSFER DEVICE**

Attorney Docket Number: 991059

Customer Number: 38834

PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. §1.313(c)(2)

OFFICE OF PETITIONS
Mail Stop 313(c)
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

October 27, 2006

Sir:

After payment of the issue fee, Applicant received an Office Action from the Japan Patent Office with respect to the counterpart Japanese Application. The cited references should be considered by the Examiner.

Thus, Applicant respectfully requests that the present application be withdrawn from issue for consideration of a Request for Continued Examination and the attached Information Disclosure Statement.

A Request for Continued Examination and an Information Disclosure Statement are submitted concurrently herewith.

Enclosed please find our check in the amount of \$920.00 (\$130.00 for the petition fee and \$790.00 for the RCE filing fee).

0/30/2006 HDEMESS1 00000073 09400833

2 FC:1464 130.00 OP

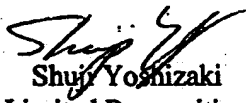
Adjustment date: 11/15/2006 CKHLOK
10/30/2006 HDEMESS1 00000073 09400833
02 FC:1464 -130.00 OP

Repln. Ref: 11/15/2006 CKHLOK 0010230800
DAH:502866 Name/Number:09400833
FC: 9204 \$920.00 CR

Petition for Withdrawal from Issue
Serial No. 09/400,833
Attorney Docket No. 991059

If this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees that may be required to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Shuji Yoshizaki
Limited Recognition
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

SY/mt

Attachments: Limited Recognition
Request for Continued Examination (RCE)
Information Disclosure Statement (IDS)
Check for \$920.00